UNITED STATES DISTRICT COURT DISTRICT OF MINNESOTA

IN RE PORK ANTITRUST LITIGATION	Civil No. 18-cv-01776-JRT-HB
This Document Relates to:	
All Actions	

STIPULATION TO AMEND THE PRETRIAL SCHEDULING ORDER REGARDING DEADLINE ON STRUCTURED DATA

The undersigned parties ("Parties") stipulate and hereby request, under Federal Rule of Civil Procedure 16(b)(4) and D. Minn. L.R. 16.3, to amend the Court's November 12, 2020 Order on Stipulation Regarding Pretrial Scheduling Order (Dkt. 532), amended once by a Stipulation to Amend the Pretrial Scheduling Order Regarding Deadline on Structured Data (Dkt. 636), to extend **from February 23, 2021 to March 2, 2021**, the deadline to reach agreement on production of structured data or seek relief from the Court.

Good cause exists for amendment of the schedule to extend such deadline as set forth below:

- 1. The first deadline to reach agreement on production of structured data or seek relief from the Court was January 15, 2021.
- 2. On January 15, 2021, the Court extended this deadline to February 23, 2021.
- 3. The parties have had substantive discussions on the production of structured data and continue to make progress on reaching a resolution or, in the alternative, limiting the issues to be presented to the Court. But due to a variety of factors, including a number of other contemporaneous discovery-related deadlines that the parties are diligently addressing, and the availability of both counsel and clients, the parties have not been able to complete the meet-and-confer process in their efforts to reach agreement on the production of structured data.
- 4. The Parties therefore collectively request that the deadline to reach agreement on production of structured data or seek relief from the Court be moved to **March 2, 2021**. The parties do not request that any other deadline under the Pretrial Scheduling Order be moved or extended.
- 5. This request is being made to further efficient and cooperative case management. It is not being made for the purpose of delay, and the requested extension would not delay the resolution of this matter or prejudice any party.

DATED this 23rd day of February, 2021

/s/ Bobby Pouya

Bobby Pouya

Clifford H. Pearson

Daniel L. Warshaw

Michael H. Pearson

PEARSON SIMON & WARSHAW, LLP

15165 Ventura Boulevard, Suite 400

Sherman Oaks, CA 92403

Telephone: (818) 788-8300

Facsimile: (818) 788-8104

cpearson@pswlaw.com

dwarshaw@pswlaw.com

bpouya@pswlaw.com

mpearson@pswlaw.com

Melissa S. Weiner (MN #0387900)

Joseph C. Bourne (MN #0389922)

PEARSON, SIMON & WARSHAW, LLP

800 LaSalle Avenue, Suite 2150

Minneapolis, MN 55402

Telephone: (612) 389-0600

Facsimile: (612) 389-0610

mweiner@pswlaw.com

jbourne@pswlaw.com

Bruce L. Simon

PEARSON, SIMON & WARSHAW, LLP

350 Sansome Street, Suite 680

San Francisco, CA 94104

Telephone: (415) 433-9000

Facsimile: (415) 433-9008

bsimon@pswlaw.com

Respectfully submitted,

/s/ Arielle S. Wagner

Arielle S. Wagner (MN #0398332)

W. Joseph Bruckner (MN #0147758)

Brian D. Clark (MN #0390069)

Craig S. Davis (MN #0148192)

Simeon A. Morbey (MN #0391338)

Stephen M. Owen (MN # 0399370)

Stephanie A. Chen (MN #0400032)

LOCKRIDGE GRINDAL NAUEN P.L.L.P.

100 Washington Avenue South, Suite 2200

Minneapolis, MN 55401

Telephone: (612) 339-6900

Facsimile: (612) 339-0981

aswagner@locklaw.com

wjbruckner@locklaw.com

csdavis@locklaw.com

bdclark@locklaw.com

samorbey@locklaw.com

smowen@locklaw.com

sachen@locklaw.com

Co-Lead Class Counsel for Direct Purchaser Plaintiffs

/s/ Shana E. Scarlett

Shana E. Scarlett

HAGENS BERMAN SOBOL SHAPIRO

LLP

715 Hearst Avenue, Suite 202

Berkeley, CA 94710

Telephone: (510) 725-3000 Facsimile: (510) 725-3001 shanas@hbsslaw.com

Steve. W. Berman Breanna Van Engelen HAGENS BERMAN SOBOL SHAPIRO LLP 1301 2nd Avenue, Suite 2000

Seattle, WA 98101

Telephone: (206) 623-7292 Facsimile: (206) 623-0594

steve@hbsslaw.com breannav@hbsslaw.com

/s/ Daniel E. Gustafson

Daniel E. Gustafson (#202241)

Daniel C. Hedlund (#258337)

Michelle J. Looby (#388166)

Britany N. Resch (#0397656)

GUSTAFSON GLUEK PLLC

120 South 6th Street, Suite 2600

Minneapolis, MN 55402 Telephone: (612) 333-8844 Facsimile: (612) 339-6622

dgustafson@gustafsongluek.com dhedlund@gustafsongluek.com mlooby@gustafsongluek.com bresch@gustafsongluek.com

Co-Lead Counsel for Consumer Indirect Purchaser Plaintiffs

/s/ Shawn M. Raiter

Shawn M. Raiter (MN# 240424)

LARSON KING, LLP

2800 Wells Fargo Place 30 East Seventh

Street St. Paul, MN 55101 Telephone: (651) 312-6518 sraiter@larsonking.com

Jonathan W. Cuneo

Joel Davidow Blaine Finley

Yifei "Evelyn" Li

CUNEO GILBERT & LADUCA, LLP

4725 Wisconsin Avenue NW, Suite 200

Washington, DC 20016

Telephone: (202) 789-3960

jonc@cuneolaw.com joel@cuneolaw.com

bfinley@cuneolaw.com evelyn@cunelolaw.com

Co-Lead Counsel for Commercial and Institutional Indirect Purchaser Plaintiffs

/s/ Kyle G. Bates

Kyle G. Bates (USDCPR-306412)
Todd M. Schneider
Matthew S. Weiler
SCHNEIDER WALLACE
COTTRELL KONECKY LLP
2000 Powell St., Suite 1400
Emeryville, California 94608
Telephone: (415) 421-7100
Facsimile: (415) 421-7105
kbates@schneiderwallace.com
tschneider@schneiderwallace.com
mweiler@schneiderwallace.com

Peter B. Schneider SCHNEIDER WALLACE COTTRELL KONECKY LLP 3700 Buffalo Speedway, Suite 300 Houston, Texas 77098 Telephone: (713) 338-2560 Facsimile: (415) 421-7105 pschneider@schneiderwallace.com

Ines Carrau Martinez Attorney General Johan M. Rosa Rodríguez PR Bar No. 16819
Assistant Attorney General Antitrust Division
Puerto Rico Department of Justice
P.O. Box 9020192
San Juan, Puerto Rico 00902-0192 Tel: (787) 721-2900, ext. 2600, 2601
Fax: (787) 721-3223
jorosa@justicia.pr.gov

Counsel for the Commonwealth of Puerto Rico

/s/ Patrick J. Ahern

Patrick J. Ahern
AHERN AND ASSOCIATES, P.C.
Willoughby Tower
8 South Michigan Ave., Suite 3600
Chicago, IL 60603
Telephone: (312) 404-3760
patrick.ahern@ahernandassociatespc.com

Counsel for Direct Action Plaintiffs Winn-Dixie Stores, Inc. and Bi-Lo Holdings, LLC

/s/ Mark L. Johnson

Mark L. Johnson (#0345520) Virginia R. McCalmont (#0399496) GREENE ESPEL PLLP 222 South Ninth Street, Suite 2200 Minneapolis, MN 55402 (612) 373-0830 mjohnson@greeneespel.com vmccalmont@greeneespel.com

Daniel Laytin, P.C. (pro hac vice)
Christa Cottrell, P.C. (pro hac vice)
Christina Briesacher (pro hac vice)
KIRKLAND & ELLIS LLP
300 North LaSalle
Chicago, IL 60654
(312) 861-2000
daniel.laytin@kirkland.com
christa.cottrell@kirkland.com
christina.briesacher@kirkland.com

Counsel for Clemens Food Group, LLC and The Clemens Family Corporation

/s/ Donald G. Heeman

Donald G. Heeman (#0286023)
Jessica J. Nelson (#0347358)
Randi J. Winter (#0391354)
SPENCER FANE LLP
100 South Fifth Street, Suite 2500
Minneapolis, MN 55402
(612) 268-7000
dheeman@spencerfane.com
jnelson@spencerfane.com
rwinter@spencerfane.com

Stephen R. Neuwirth (pro hac vice) Michael B. Carlinsky (pro hac vice) Sami H. Rashid (pro hac vice) Richard T. Vagas (pro hac vice) David B. Adler (pro hac vice)

/s/ Richard A. Duncan

Richard A. Duncan (#0192983) Aaron D. Van Oort (#0315539) Craig S. Coleman (#0325491) Emily E. Chow (#0388239) Isaac B. Hall (#0395398) Bryan K. Washburn (#0397733) FAEGRE DRINKER BIDDLE & REATH LLP 2200 Wells Fargo Center 90 South Seventh Street Minneapolis, MN 55402-3901 (612) 766-7000 richard.duncan@faegredrinker.com aaron.vanoort@faegredrinker.com craig.coleman@faegredrinker.com emily.chow@faegredrinker.com isaac.hall@faegredrinker.com bryan.washburn@faegredrinker.com

Counsel for Hormel Foods Corporation and Hormel Foods, LLC

/s/ William L. Greene

William L. Greene (#0198730)
Peter J. Schwingler (#0388909)
Jon M. Woodruff (#0399453)
STINSON LLP
50 South Sixth Street, Suite 2600
Minneapolis, MN 55402
(612) 335-1500
william.greene@stinson.com
peter.schwingler@stinson.com
john.woodruff@stinson.com
J. Nicci Warr (pro hac vice)

STINSON LLP 7700 Forsyth Blvd., Suite 1100 St. Louis, MO 63105 (314) 863-0800 nicci.warr@stinson.com

QUINN EMANUEL URQUHART & SULLIVAN, LLP 51 Madison Avenue, 22nd Floor New York, NY 10010 (212) 849-7000 stephenneuwirth@quinnemanuel.com michaelcarlinsky@quinnemanuel.com samirashid@quinnemanuel.com richardvagas@quinnemanuel.com davidadler@quinnemanuel.com

Counsel for Seaboard Foods LLC and Seaboard Corporation

Counsel for JBS USA Food Company

/s/ John A. Cotter

John A. Cotter (#0134296)
John A. Kvinge (#0392303)
LARKIN HOFFMAN DALY &
LINDGREN LTD.
8300 Norman Center Drive, Suite 1000
Minneapolis, MN 55427-1060
(952) 835-3800
jcotter@larkinhoffman.com
jkvinge@larkinhoffman.com

Richard Parker (pro hac vice)
Josh Lipton (pro hac vice)
GIBSON, DUNN & CRUTCHER, LLP
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036-5306
(202) 955-8500
rparker@gibsondunn.com
jlipton@gibsondunn.com

Brian Robison (*pro hac vice*) GIBSON, DUNN & CRUTCHER, LLP 2001 Ross Avenue, Suite 2100 Dallas, TX 75201-6912 (214) 698-3370 brobison@gibsondunn.com

Counsel for Smithfield Foods, Inc.

/s/ Gene Summerlin

Gene Summerlin (pro hac vice)
Aaron Chapin (#06292540)
Marnie Jensen (pro hac vice)
Ryann Glenn (pro hac vice)
Kamron Hasan (pro hac vice)
Sierra Faler (pro hac vice)
HUSCH BLACKWELL LLP
13330 California St., Suite 200
Omaha, NE 68154
(402) 964-5000
gene.summerlin@huschblackwell.com
marnie.jensen@huschblackwell.com
ryann.glenn@huschblackwell.com
kamron.hasan@huschblackwell.com
sierra.faler@huschblackwell.com

Counsel for Triumph Foods, LLC

/s/ David P. Graham

David P. Graham (#0185462) DYKEMA GOSSETT PLLC 4000 Wells Fargo Center 90 South Seventh Street Minneapolis, MN 55402 (612) 486-1521 dgraham@dykema.com

Rachel J. Adcox (pro hac vice)
Tiffany Rider Rohrbaugh (pro hac vice)
AXINN, VELTROP &
HARKRIDER LLP
950 F Street, N.W.
Washington, D.C. 20004
(202) 912-4700
radcox@axinn.com
trider@axinn.com

Counsel for Tyson Foods, Inc., Tyson Prepared Foods, Inc. and Tyson Fresh Meats, Inc.

/s/ Peter H. Walsh

Peter H. Walsh (#0388672) HOGAN LOVELLS US LLP 80 South Eighth Street, Suite 1225 Minneapolis, MN 55402 T. (612) 402-3000 F. (612) 402-3001 peter.walsh@hoganlovells.com

William L. Monts (pro hac vice)
Justin W. Bernick (pro hac vice)
HOGAN LOVELLS US LLP
Columbia Square
555 Thirteenth Street, NW
Washington, D.C. 20004
(202) 637-5600
william.monts@hoganlovells.com
justin.bernick@hoganlovells.com

Counsel for Agri Stats, Inc.